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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

v.

10 CHARLES ANDREW STOCKER,

11 Defendant.
12

CASE NO. CR17-5116BHS

ORDER

13 This matter comes before the Court on the Unopposed Defense Motion to
14 Continue Trial Date and Pretrial Motions Due Date. The Court, having considered the
15 unopposed motion and the Defendant's speedy trial waiver makes the following findings
16 of fact and conclusions of law:

17 1. The defense needs additional time to locate and interview witnesses and
18 conduct an independent investigation of the charges against the Defendant. Defense
19 counsel understands additional discovery may be forthcoming from the government.

20 2. The defense needs additional time to explore all relevant issues and defenses
21 applicable to the case, which would make it unreasonable to expect adequate preparation
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1 for pretrial proceedings or for trial itself within the time limits established by the Speedy
2 Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 3. Taking into account the exercise of due diligence, a continuance is necessary to
4 allow the defense the reasonable time for effective preparation and to ensure continuity of
5 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 4. Proceeding to trial absent adequate time for the defense to prepare would result
7 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

8 5. The ends of justice served by granting this continuance outweigh the best
9 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10 6. Defendant waived speedy trial through October 31, 2017.

11 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date is continued
12 from May 16, 2017, to September 5, 2017, at 9:00 a.m. The resulting period of delay
13 from April 19, 2017, to September 5, 2017, is hereby excluded for speedy trial purposes
14 under 18 U.S.C. § 3161(h)(7)(A) and (B).

15 Pretrial motions are due no later than July 21, 2017. Pretrial Conference is set for
16 August 28, 2017, at 3:30 p.m.

17 Dated this 21st day of April, 2017.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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